HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION
Dated Nainital the 24th May, 2006
Bail Application No. 429 of 2006

Order on the bail application of accused.

CRIMINAL SIDE

1. Umendra Kumar S/o Dhanesh Prasad
2. Jirendra S/o Dhanesh Prasad
Both R/o Village Bagga 54
Police Station – Khatima
District – Udham Singh Nagar …..….Applicants

Versus

State of Uttaranchal ……..Opposite Party

In Case Crime No. 1242 of 2006
U/s 363, 366 I.P.C.
Police Station – Khatima
District – Udham Singh Nagar

Hon'ble J. C. S. Rawat, J.

Heard Mrs. Pushpa Joshi-learned counsel for the applicants, learned AGA for the State and perused the record.

It was contended on behalf of the learned counsel for the applicants that the present applicants are involved in only taking away and enticing away the girl. The girl was recovered and her statement was recorded. It was stated in the statement recorded u/s 164 Cr.P.C. that the victim was brought by Anita to her residence and thereafter the victim was given tea and something was administered in the tea by which the victim became unconscious. When the victim was in a stage of drunken, she says the present applicants came at the spot. It was also contended that if she was in a stage of drunken, how she could recognize the present applicants.

Considering the facts and circumstance of the case in totality, it is a fit case for bail at this stage.

Let the accused-applicants be released on bail on each executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of J.M. Khatima.

(J.C.S. Rawat, J.)

Dated 24.05.2006
Shiv